

SUMMARY STATEMENT

Idaho Department of Health and Welfare v. Doe, Docket No. 43652

In a case arising out of Nez Perce County, the Idaho Supreme Court affirmed an order of the magistrate court terminating the parental rights of Doe. The Idaho Department of Health and Welfare (“IDHW”) petitioned for termination of Doe’s parental rights, alleging neglect. Following a termination hearing, the magistrate court concluded that Doe had neglected Child based on its findings that Doe’s history of substance abuse, abusive relationships, and multiple arrests, combined with evidence that Child’s poor health while in Doe’s custody had improved after of Child’s was removed from Doe’s custody. Based on these findings and conclusions, the magistrate court granted the petition to terminate Doe’s parental rights. Doe appealed.

Affirming the judgment, the Idaho Supreme Court held that: (1) substantial and competent evidence supports the magistrate court’s decision; (2) the magistrate court properly admitted transcripts from the adjudicatory hearing in the same case on the prosecutor’s request for mandatory judicial notice; (3) and exhibits related to IDHW’s efforts to determine whether Child was subject to the Indian Child Welfare Act did not affect any of Doe’s substantial rights.